

Remarks

This Response is timely filed within three months of the mailing date of the latest Office Action. Accordingly, no fee is required. 37 CFR § 1.134-1.136.

As a preliminary matter, Applicant has claimed priority of European Patent Application No. EP02425690.1, filed November 12, 2002. Applicant respectfully requests that the Office acknowledge Applicant's claim for priority.

Claims 1-5 are pending in this application. By this amendment, Claims 1-3, and 5 are amended. No new matter has been added. Reconsideration of the application in view of the above amendments and the following remarks is respectfully requested.

I. The Claims Comply With 35 U.S.C. 112, second paragraph

Claims 1-5 were rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Applicant respectfully submits that the amendments to the claims resolve the basis of the rejections, and respectfully requests their withdrawal.

II. The Claims are Patentable Over the Cited References

Claims 1-5 were rejected under 35 U.S.C. 103(a) as being unpatentable over the combined teachings of European Patent Application No. 0508245 (hereinafter "EP '245") and European Patent Application No. 0468318 (hereinafter "EP '318"). Applicant respectfully traverses this rejection.

As amended, Claim 1 recites an air-conditioning system comprising a cooling module (2) which comprises a three-way switching valve (V1) whose central outlet is connected to an intake tube (5) of a single hydraulic circuit (5, 7), an inlet is connected to a second outlet tube (F) of a heating system (8), and an inlet is connected to a first outlet tube (A) of the cooling module (2). Claims 2-5 depend from Claim 1 and include at least all of the limitations recited therein.

Taken alone or in combination, neither EP '245 nor EP '318 teach or disclose the present invention. EP '245 discloses a cooling module for boilers having a switching valve (V3) for connecting a single hydraulic circuit to the boiler during the winter period and to the cooling module during the summer period. The valve (V3) disclosed in EP '245 is connected to the outlet pipe (12) of a heat exchanger (20) and to the inlet pipe (14) of an accumulator (10) and to a pipe (15). See Col. 3, ll. 40-55. The valve (V3) does not comprise a three-way switching valve whose central outlet is connected to an intake tube of a single hydraulic circuit, as presently claimed. Moreover, the valve (V3) does not include an inlet connected to a second outlet tube of a heating system, and an inlet connected to a first outlet tube of a cooling module, as presently claimed.

EP '318 discloses a monobloc heating and cooling system including a valve (V2). The valve (V2) disclosed in EP '318 is connected to a boiler (10), a return pipe (25), and a water heater C. See Col. 4, ll. 20-45, Fig. 1. The valve (V2) does not comprise a three-way switching valve whose central outlet is connected to an intake tube of a single hydraulic circuit, as presently claimed. Moreover, the valve (V2) does not include an inlet connected to a second outlet tube of a heating system, and an inlet connected to a first outlet tube of a cooling module, as presently claimed.

Claims 1-5 were also rejected under 35 U.S.C. 103(a) as being unpatentable over EP '245 and EP '318 and further in view of U.S. Patent No. 5,244,037 to Warnke (hereinafter "Warnke"). Applicant respectfully traverses this rejection.

With respect to this combination of references, Applicant respectfully submits that the Office's need to combine Warnke with EP '245 and EP '318 necessarily demonstrates that a prima facie case for obviousness has not been established with EP '245 and EP '318 alone. Accordingly, Applicant requests that one or both of the rejections be withdrawn.

Nevertheless, taken alone or in combination with EP '245 and EP '318, Warnke does not teach the subject matter of the present invention. Warnke is directed to a pressurized system for a heat pump. The system includes a tank 26 having an outlet pipe 36 with a pair of one-way valves 42, 44 disposed in the pipe. See Col. 3, ll. 7-30, Fig. 2. The system disclosed in Warnke does not teach or suggest the use of a three-way switching valve. The Warnke system does not suggest a valve whose central outlet is connected to an intake tube of a single hydraulic circuit, as presently claimed. Moreover, Warnke does not disclose or suggest a switching valve having an inlet connected to a second outlet tube of a heating system, and an inlet connected to a first outlet tube of a cooling module, as presently claimed.

For at least the reasons set forth above, Applicant respectfully submits that EP '245, EP '318, and Warnke, taken alone or in combination, fail to disclose, teach, or suggest the invention as claimed by Applicant. Accordingly, Applicant respectfully requests that the Examiner reconsider, and withdraw, the rejections and allow the appended claims at an early date.

III. Conclusion

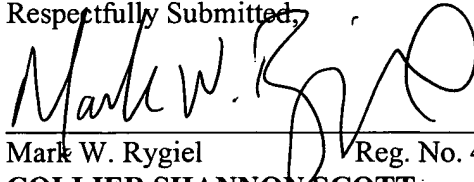
In view of the foregoing amendments and remarks, Applicant respectfully submits that the claims of the present invention define subject matter patentable over the references cited by the Office and that the application is in condition for allowance. Should the Office believe that anything further is desirable to place the application in better condition for allowance, the Office is invited to contact Applicant's undersigned attorney at the below listed telephone number.

No fee is believed to be due for this submission. Should any fee be required, however, the Commissioner is hereby authorized to charge the required fee to Collier Shannon Scott Deposit Account No. 03-2469. Moreover, if the deposit account contains

insufficient funds, the Commissioner is hereby invited to contact Applicant's undersigned representative to arrange payment.

Date: March 15, 2005

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Mark W. Rygiel", written over a horizontal line.

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IN THE DRAWINGS

Please amend Figure 1 as follows:

Replace the reference character “129” with --12a--.